

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

Nassau Brewing Company Landlord LLC,

Case No. 21-41852-JMM

Debtor.
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**ORDER GRANTING DEBTOR’S MOTION TO APPROVE STALKING HORSE
CONTRACT WITH RELATED BIDDING PROCEDURES AND BREAK-UP FEE**

Upon the motion [ECF No. 210] (the “Motion”) of Nassau Brewing Company Landlord LLC (the “Debtor”) for entry of an order (i) approving a proposed stalking horse contract dated January 3, 2024 (the “Stalking Horse Contract”) for the sale of the Debtor’s real property located at 945 Bergen Street, Brooklyn, NY (the “Property”) to Goose Property Management LLC or its designee as buyer (the “Stalking Horse”) for the sum of \$18,250,000 (the “Stalking Horse Bid”), free and clear of all claims, liens and interests, except for the assignment of the existing Master Lease (as defined in the Motion), pursuant to 11 U.S.C. § 363(b) and (f) and applicable Bankruptcy Rules; and (ii) approving proposed bidding procedures relating to the solicitation of higher and better offers for the Property, including a proposed 2.5% breakup fee in favor of the Stalking Horse; and good and sufficient notice having been given; and a hearing having been held on February 7, 2024; and no objections having been filed or asserted; and the Court finding that the proposed sale of Property pursuant to the proposed bidding procedures is a proper exercise of business judgment and terms of the Stalking Horse Bid are fair and reasonable; it is hereby

ORDERED, that the Motion is granted as set forth herein; and it is further

ORDERED, that the Stalking Horse Bid of Goose Property Management LLC including a break-up fee of two and one-half (2.5%) percent is approved; and it is further

ORDERED, that the Bidding Procedures annexed hereto as Exhibit “A” are approved; and it is further

ORDERED, that in furtherance of the Bidding Procedure, the auction of the Property shall be conducted on March 15, 2024 at the offices of Goldberg Weprin Finkel Goldstein LLP beginning at 12:00 noon; and it is further

ORDERED, that notice of the auction results shall be filed by the Debtor’s counsel on or before March 19, 2024; and it is further

ORDERED, that a hearing to approve the sale of the Property to the highest and best bidder shall be conducted on April 10, 2024 at 11:00 a.m., to be held in conjunction with a hearing to consider confirmation of the Debtor’s amended plan of reorganization [ECF No. 216] (JMM); and it is further

ORDERED, that objections to the sale of the Property shall be filed on or before April 3, 2024.

Dated: March 6, 2024
Brooklyn, New York





Jil Mazer-Marino
United States Bankruptcy Judge